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July 30, 2003

VIA FACSIMILE (202-434-5029) AND FIRST CLASS MAIL

Margaret A. Keeley, Esq.  
Williams & Connolly  
725 Twelfth Street, N.W.  
Washington, D.C. 20005-5901

Re: *Kurchatov v. Western Services Corporation, et al.*  
In the United States District Court for the District of Maryland  
Case No. AMD 02 CV3878

Dear Meg:

We write to follow up on our letter dated July 18, 2003, regarding WSC's response to Document Request Nos. 5, 6, 7, 10, 11, 18 and 19, as well as your letters dated July 10 and July 17 in which you agreed to confirm the existence of (and to produce) versions of SimPort 2000 prior to the final product, as well as your agreement to produce the other source code responsive to Request No. 2 as outlined in your letter of July 17, 2003.

As to your offer to inquire whether early (preliminary) versions of SimPort exist, I note that on July 10 you stated that your "primary programmer of SimPort 2000 . . . [was] traveling outside the country," but would be back the following week (July 14 – 18), and that you would inquire upon his return. Please confirm whether WSC retained or is aware of the retention of any early versions of SimPort 2000 (prior to the finalized Seabrook version already produced). Also, we await receipt of the additional source code promised in the July 17, 2003 letter.

As to the earlier iterations of SimPort that you alleged no longer exist, but then stated you will check on, we would like to know how WSC and/or Utmel service prior versions of SimPort if no early versions of the software were kept. Moreover, since there are apparently some differences between each version used in the individual data loads (which, admittedly, you claim is minimal), we would like to know if individual copies of each "slightly" different version retained? If not, how are these "slightly" different programs serviced. If so, please state when all such versions will be produced. Also, it is a standard industry practice to maintain an audit trail of all versions for back-up purposes. Does WSC/Utmel keep such an audit trail? If so, we

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believe it is discoverable and request its immediate production. If not, please confirm that WSC and/or Utmel keep no documentation as to prior versions of SimPort.

We also wish to follow up on our July 18, 2003, request that we be permitted to view the "over 100 boxes" of documents responsive to Kurchatov Request Nos. 5, 6 and 7. As a preliminary matter, we would like to know when we can expect production of all correspondence in response to Request No. 5 as promised. As I recall, WSC promised to produce all correspondence, less the allegedly voluminous e-mails, but we still have not received this correspondence. As to the e-mails, it is my recollection that you (and Ann) stated that counsel for WSC will develop a system by which you can search the e-mails to produce responsive ones. Please inform us of the specifics of your "system" and the progress with the search. Moreover, please confirm when we can expect production of this outstanding discovery.

Also, I note that your July 23, 2003, letter mentions arrangements to review "records pertaining to customer specifications" which you will discuss with Mr. Utmel. I am assuming, though it is not clear, that this is in reference to my request to review the "100 boxes of documents" you mention in your July 17, 2003 letter that are responsive to Request Nos. 5, 6 and 7. Please note we wish to review all documents responses to KI Request Nos. 5, 6 and 7, not just "customer specifications."

As to Document Request Nos. 10, 11, 18 and 19, we await your confirmation that you have produced all documents relating to the \$1,000,000 "time and material fee paid to KI" as alleged in WSC's Answer.

Finally, I wish to confirm the deposition of Sergey Zhigunov and Steven Boyd, which we proposed for August 22, 2003, and September 22, respectively and which you have confirmed in your recent correspondence.

I look forward to hearing from you soon.

Very truly yours,

Jesse B. Hammock

JBH:cld

cc: Charles L. Simmons, Esquire  
John M. G. Murphy, Esquire